Oregon Housing and Community Services NOFA Frequently Asked Questions

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1. Will the slides from the presentations be made available?
   A: The presentation will be posted on website.

2. What is the definition of "Public Policy"? (e.g., scope: local, regional, statewide, combined?)
   A: Public policy is defined in a public document, created by a legitimate process, that guides decision making and aids in planning efforts at any level of government (including local, statewide, or regional).

3. Are attachments 1-5 of the NOFA the same as parts of the Application?
   A: The NOFA lists required documents to be completed. Yes, the NOFA documents are the same as parts of the Application.

4. When a third-party contract contains both financial Consulting and Construction Management fees, are they both subject to the Developer Fee Limit?
   A: The prices for each service should be clearly separated in the contract. The Consultant fee is subject to the Developer fee limit. The Construction Management Fee is not.

5. What is the maximum OAHTC? LIHTC? Where is that information located?
   A: The information is located in the LIHTC NOFA in the table in Section 1.6. 870,000 is the maximum amount allowed for LIHTC and 1,800,000 is the maximum amount allowed for OAHTC.

6. What is the LIHTC program set aside?
   A: Federal regulations require OHCS to set aside 10% of its annual allocation for qualified non-profits. The published figure was rounded.

7. Real Estate Holdings sheet – Can we use the same Real Estate Holdings worksheet that we have used for other projects?
   A: Yes, as long as the required information on the OHCS Real Estate Holdings worksheet is provided.

8. Occupancy is not mentioned on the form. Do you want this information?
   A: We are not asking for this information in the Minimum Qualifications stage.

9. Does the 14% include the General Conditions?
   A: Yes

10. Page 13/26 Instructions – Site Control - In acquisition/rehab, if a sponsor owns the property and acquires it through an LLC rather than project sponsor then site control does not meet the requirement.
    A: We will change references to Site Control to add the ability to explain the connection between the project sponsor and the LLC.

11. Do all projects with additional federal project resources – HUD and USDA-RD – need to prove the submittal of an application?
    A: This is referring to brand new resources (additional or new), only.

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12. In the QAP – waivers are discussed. The NOFAs do not mention how to request a waiver. The QAP appears to require the applicant to request a waiver.
    A: Waivers or exemptions from some policies or guidelines may be requested as part of an application; for instance, an exception for some Visitability criteria on certain rehabs. The requests are not approved in advance, but must be submitted with the application.

13. Is it okay to handwrite the page numbers on the submitted application including references, addenda, etc.?
    A: Yes.

14. What if you do not demonstrate the need in your community adequately in the narrative section but the need exists, then what?
    A: The scoring committee will score the application as presented.

15. So, if one application is more sophisticated in explanation and is well written, it will probably score better?
    A: Yes.

16. What is the definition of “region”? Some regions have half-dozen counties how do I compare Corvallis with Eugene?
    A: The regions for this NOFA are the Regional Solutions Centers that are comprised of multiple counties. In the competitive scoring, you are asked to compare your community to the region. You do not need to compare your community to all other cities within your region, though you could choose to include comparisons against other “hot spots” of activity or need if relevant. However, the primary focus should be on a comparison of your community to the statistics that represent your region as a whole; focusing on those elements that set your communities needs apart from those of the region.

17. So, an applicant should not focus so much on region, but focus on the city for the project?
    A: The first competitive scoring section asks you to focus on the need in your community as it compares to the need in the region as a whole. For this part of the application, you should focus on quantitative information about both the region, as well as your target community.
    The second competitive scoring section asks you to focus exclusively on the housing needs within your community, you do not need to address the region in this second question.

18. If I have a project in a city in the region, do I compare the rent burden in the city of my project versus other cities in the region?
    A: No, compare the community of your proposed project to the region as a whole.

19. What if the city is a region – for example the Portland Metro area?
    A: There are multiple cities within the Metro area. You do not have to look at each city, and determine differences between them. The comparison could be Portland compared to the Metro region as a whole.

20. Census tract usable as a region? Can I start with a County?
    A: Yes.

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21. Can I describe a moderate need deeply versus a deep need modestly with this data?
A: The process allows the applicant to quantitative aspects any way in this part. The applicant decides what is pertinent and why.

22. Do I have to use only the data the State provides?
A: No, an applicant may use any data source as long as it is verifiable.

23. Can an applicant use bullet points versus paragraphs in the narrative? Tables?
A: Yes. Bullet points, numbers, and narratives are all good.

24. Using both the HUD QCT and deconcentrating poverty seem to conflict with one another. What year is this QCT data representing?
A: The data is what HUD has published for 2010. The Department encourages applicants to consider both and does not limit an application to one or the other.

25. A community might need a Group Home or DV Shelter or a mixed income project that is part of an urban renewal project. How does an applicant adequately connect with a housing need in these types of projects?
A: The applicant should use quantitative data about the need for housing for a specified population, and / or the reasons why the proposed project will meet these needs. For example: if an applicant is arguing that a DV shelter is needed in a specific community in discussing "need in the context of the region" the applicant could discuss the volume of DV need in the specific community as it relates to the region as a whole (i.e. "36% of those seeking DV housing are within my community"). In addition, in discussing "need in the context of the community," the applicant would discuss the current DV shelter supply and the demand for DV shelters as it compares to other types of housing needs within the community.

26. Do we need to provide support letters (that prove the community impact) from local jurisdictions or others (e.g., the neighborhood)?
A: No. Support letters are not required, the applicant could include a letter as part of the 10 page limitation; however, it is sufficient for the applicant to cite the letter in the narrative.

27. An applicant may have a collaborative project but collaboration can work against feasibility. How does that affect an application? (e.g., a mixed use building with commercial on the first floor)
A: The project needs to be financially feasible.

28. Does an applicant need to provide letters of interest from lenders and equity investors?
A: Yes, that is required for the threshold review.

29. How financial feasible does the project need to be at the time of application? Resources and gap may not actually meet this far in advance.
A: The Sources must be fully identified and there must be a reasonable expectation that the Sources will be approved and fundable by Equity or Construction closing. Any Source identified as "to be determined" would be unacceptable.

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30. Do all sources have to be fully committed?
    A: An applicant does not need full commitments at the time of application. Applications for all sources; however, must be submitted to all sources.

31. Does an applicant show sources that only have a high probability of receiving?
    A: An applicant needs to get all the soft funding in place in 240 days after reservation. Explain this in financial assumptions.

32. Who is doing the competitive scoring?
    A: The competitive scoring process is under development at this time. The Department will publish the process soon.

33. Will applicants do a presentation to the scoring committee?
    A: This aspect is under consideration during the development of the scoring committee process.

34. If a project goes beyond the 240-day period, is the project reevaluated? This is pertinent to project with RD funding.
    A: The Department can reevaluate at the end of the 240-day period. The applicant should actively engage with and keep the Department informed of any progress during the 240-day period.

35. Will Department leadership communicate with RD to encourage an expedited response to meet the required timeframes?
    A: The Department has quarterly meetings with RD and will discuss this topic.

36. If an applicant has a CNA from 2 years ago and the project still meets all the bulleted items, is another CNA required?
    A: It is the Department's preference to receive Capital Needs Assessments that are no older than 12 months. However, a Supplemental Update may be acceptable if the standards listed in the General Manual, Section IV. B (2)) have been met.

    The Applicant should bear in mind that material differences in scope of work and/or budgets between the time an Application that receives a Reservation and a Project is under evaluation for Equity or Construction Closing might trigger a re-evaluation. This is especially true if the uses increase materially because of undetected problems in the Supplemental Update and as a result, the budget is out of balance.

37. Will there be a separate NOFA and training for GHAP funding?
    A: Yes. The Department anticipates issuing a NOFA sometime in the Fall.

38. Is GHAP funding available now?
    A: Yes. GHAP funding is only available through both the LIHTC and HOME NOFAs.

39. If doing a full roof replacement, does an applicant need to do a separate roof inspection?
    A: No.

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40. Will the NOFA for GHAP funding be limited to only small projects or can it be used for gap financing on large projects?
    A: The separate NOFA for GHAP funding is intended for smaller projects that need GHAP – like special needs, group homes, etc.

41. We are gutting a large commercial building and putting units into it. Will we be required to analyze parts of the building being demolished?
    A: No. A complete demolition of the interior of a commercial building resembles a new construction project.

42. Can we submit with double-sided pages?
    A: Yes. Do not exceed the maximum of 10 single-sided pages.

43. How do I show significant leverage?
    A: It depends upon the project and the community – such as donated land. Tell us what the leverage is and why it is significant.

44. The Instruction Manual requires an electronic copy in addition to the paper copies of the application. Which is correct the manual or the NOFA? On the electronic copy do we submitted files in Word/Excel or PDF format?
    A: Applicants are required to submit an electronic copy on CD in Word/Excel formats. Only third party reports should be in PDF format, when they are required (otherwise do not include). The NOFAs will be amended to show this change.

45. On minimum project qualifications worksheet – what is Allocation Test?
    A: The total dollar amount for that funding source allocated to your region.

46. On Page 12 of Instruction Manual – problem with project-based assistance and the length of time applicant is required to show it, such as a preference for a 20-year term. USDA and maybe HUD are moving to a 1-year renewal.
    A: We will review this requirement in accordance with other external restrictions.

47. Section 1 – Ordering of the submittal. If the Table of Contents does not match up with the order of the application?
    A: Use the Checklist to ensure everything is there. The Checklist determines the order of submittal. The Department will review the table of contents and make any necessary corrections.

48. On Page 13 Application Instructions – Proforma Excel spreadsheets the description is confusing. Can you clarify what order the Proforma spreadsheets should be submitted?
    A: Follow the order listed in the Submittal Checklist.

49. In Attachment 3 (Organizational Documents) – there does not appear to be a worksheet for this information.
    A: This is existing information that you provide that details the legal structure of the Applicant. As an example, provide copies of the Articles of Incorporation for corporations with the application.

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50. If there is a problem with Asset Management, is there a way we would know early on?
    A: If there are existing problems, they should already be known to you because of the on-going inspection requirements that every existing project is required to follow. You should already be in communication with the Department if there are any problems. The Asset Management review only includes information and issues the applicant already knows about.

51. Does the applicant need to submit a letter regarding resident services provided by a third party?
    A: Do not submit letters, just cite the reference.

52. Resident services – If the project is only family housing, do we need to address elderly and special needs?
    A: Not if the project does not have those populations.

53. In the LIHTC Manual, page 23 (and page 11 of the General Manual) – the developer fee says 15% in General guidelines. What is expected by the Department?
    A: The General Manual indicates discretion of the Department; developer fees up to 15% will be considered. The two sources are not intended to be different.

54. In the past, an applicant submitted the request for basis boost ahead of time. What about now?
    A: We will amend the form to include deconcentration of poverty. If unsure about basis boost, put it in as a FAQ with a general description, we will answer it.

55. In the General Policy Guidelines – where is the prevailing wage request (BOLI)?
    A: These things will show up as a condition on the reservation letter and are no longer required in this part of the process.

56. Who is reviewing the application? Staff from outside the agency? How about for Threshold, Resident Services, etc.?
    A: The Application package is reviewed by the procurement team. Minimum threshold qualifications are reviewed by program staff with management oversight. Resident Services and Asset Management are reviewed by asset management staff with management oversight. The competitive scoring process is under development at this time. The Department will publish the process soon.

57. On Page 26 of NOFA asks for an "asset management form" but there is no form.
    A: The Asset Management form is no longer used. Please ignore and all documents will be updated to reflect this change.

58. Are the points for needs applied to both HOME and LIHTC projects?
    A: Yes.

59. How about the regional points – do these apply to both NOFA's?
    A: No. The regional points apply just for the LIHTC. HOME is statewide.

60. You have stated that program staff may contact an applicant during Threshold review to seek clarity on an application. Will this be true for during Competitive Scoring phase?

A: Not at this point, but we are still evaluating what the Competitive Scoring committee might be doing in this regard. The competitive scoring process is under development at this time. The Department will publish the process soon. This aspect is under consideration during the development of the scoring committee process

61. Will the policy considerations of the Regional Solutions teams be used during these NOFAs?
A: No. The Regional Solutions teams are not yet in a position to recommend policy objectives and the discussions will continue for consideration future NOFAs.

62. Does each of the project qualifications carry the same weight?
A: Project qualifications are not weighted at all. The qualifications are merely four ways a project can enter the NOFA process.

63. In the past, projects received both HOME funding and LIHTCs. As applications are being reviewed, and an applicant wanted both funding sources, will there be communication between the evaluation teams?
A: No. An applicant should apply in the applicable NOFA for their project. There are HOME resources attributed to the LIHTC NOFA. The HOME NOFA has no LIHTCs.

64. Does a project need to have applied before to be considered in these NOFAs?
A: No.

65. Can my application be reviewed by a RAD or program staff for clarity?
A: No.

66. Can a project have a property manager’s unit on-site in a tax credit project?
A: Yes and it must be designated as such.

67. Can the application be submitted in a box versus envelopes?
A: Yes. The NOFA will be amended to say “container.”

68. What amount should be listed in the proforma for OHCS Construction Inspection?
A: The amount for OHCS Construction Inspection is $25,000 and is required by the HOME program.

69. If a project is requesting a basis boost in a small rural community with no outside resources, based on the decentralization of poverty (in an area with very little affordable housing) and the project addresses workforce housing needs, would the basis boost be approved by the Department?
A: If the basis boost is required for the financial feasibility of the project and meets the requirements for basis boost then the project with these characteristics is eligible for the boost.

70. If the project architect and team determines that a topographic survey is not necessary at this time for a flat site with no apparent grading issues, or with grading issues that are known and documented already, can the site plan omit the contour lines at 5 ft. intervals?
A: Yes, unless required during the site inspection by the RAD.

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71. When will the NOFA for 4% tax credit projects be published?
A: 4% tax credits are not competitive and can be applied for at any time. See the website for more details.

72. Will 4%/bond projects be able to apply for GHAP or other financing resources to fill the gap created by the reduced equity on these deals?
A: No, not through these NOFAs.

73. If a market study is completed ahead of the application due date, should it be submitted or can it just be referenced?
A: Reference the market study only, do not submit the study.

74. Please confirm what, if any, documentation needs to be submitted regarding wetlands (or lack thereof) other than information that is requested in the environmental review.
A: An applicant is only required to answer the questions on the environmental checklist submitted with the application.

75. Where can the Administrative Rules be found?
A: Information about the Administrative Rules was published 6/28/13 in a Multifamily Technical Advisory.

76. In the event a project is willing to make a commitment to more restrictive income limits (e.g., a certain percentage of units reserved for households at 30% AMI), how will scoring be taken into account?
A: This is one of the criteria in Community impact? More details are listed on Page 31 of the Instruction Manual.

77. Are there only eight parts in the NOFA and the application? The NOFA mentions nine parts.
A: There are only eight parts. The Department will reconcile all documents.

78. In some instances (such as projects developed on tribal lands) tax account number/assessor's map ID/tax lot numbers may not be applicable. Please confirm whether it is acceptable to mark those as NA on the zoning certification.
A: Yes.

79. Please confirm the last scheduling date to coordinate with the RADs for completion of the environmental review.
A: Prior to August 23, 2013.

80. Regarding the construction hard cost estimate, can this come directly from the architect?
A: Yes. Do not submit the detailed backup.

81. How will applicants without a portfolio of OHCS projects be evaluated?
A: An applicant's portfolio is evaluated based on two aspects, one of which is the Real Estate Holding worksheet. This worksheet should provide adequate information for review of non-OHCS projects.

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82. The Instructions Manual indicates the CNA needs to be completed by a professional licensed in Oregon. Is that requirement new?
A: On Page 22 of the Instruction Manual, the person performing the CNA needs to be licensed (registered on the Secretary of State's website) to do business in Oregon and that requirement is not new.

83. The NOFA states that "the applicant must be sure that the name on the evidence of site control and the Application is exactly the same." Is it possible to provide written clarification if the name on site control documentation does not match the applicant name?
A: Yes. Similar to the provision for clarification on the site description.

84. NOFA HOME, Page 15 of 25, G. Ownership Integrity: Will you please clarify "Single-Asset Ownership" – can a Housing Authority with multiple assets not apply? Will you please provide clarification?
A: Yes. A Housing Authority can apply, this refers to the requirement that a single-asset entity be established for the ownership of a project.

85. On Page 10 of the LIHTC NOFA, under Organizational Documents, 2. Requests that organizational documents are to be certified by an authorized official of Applicant as being true and complete. In what format does OHCS want this?
A: The applicant should decide what document to provide that is evidence of authority to submit an application. Some examples are provided in the section on Page 10.

86. Page 18, 4.3. The title of the section indicates "Protest," however, there is not any narrative on the Protest process. Is there a process to Protest and will it be described at some point?
A: Yes. The information is provided in Section 5.8 under General NOFA Terms in both NOFA documents.

87. On Page 2 of Part 2 (Application and Project Worksheet), at the top of the Form it asks for "Co-Applicant." Should "Applicant" be identified in the top right and the "Co-Applicant" the top left?
A: It is typical for the Applicant to be first on the left.

88. On Page 33 of Part 3E (Financial Feasibility), there is no Question 2 identified. The first question asks for a detailed description of the applicant's development budget and operating budget; however, question 3 and 4 asks for rents and a detailed line item description of expenses. This appears to be redundant. Should Question 1 address the development budget and 2 (now labeled 3) address rents and other income and 3 (now labeled 4) address the operating expenses?
A: We will clarify and repost this form***.***

89. On Page 29 of the General Policy Manual, Addendum A: Architectural Guidelines. The Architectural Guidelines do not to include any guidelines regarding acquisition/rehabilitation projects. Are there guidelines for acquisition/rehabilitation projects?
A: The Department requires CNA's on all acquisition/rehabs. The Department requires the CNA identify all critical items, items that must be replaced within two years and replacement reserves that that will provide the property with a 30-year economic life. Following the recommendations of each CNA is the guideline.

90. The vacancy rate in the proforma reflects 5% and indicates in the comment that if we are using something else it needs to be justified. However, in the Policy and Guideline Manual (Page 15) it indicates a vacancy rate “of not less than 7%” should be used. If we use the 7%, do we need to justify it?
    A: No justification is necessary for 7%.